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7 *Attorneys for Defendant Rob Bonta, in his official  
capacity as Attorney General of California*  
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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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14 **MICHAEL ZELNY, an individual,**  
15 Plaintiff,  
16  
17 **v.**  
18 **ROB BONTA<sup>1</sup>, an individual, in his official**  
19 **capacity; CITY OF MENLO PARK, a**  
20 **municipal corporation; and DAVE**  
21 **BERTINI, in his official capacity,**  
22 Defendants.  
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Case No. 3:17-cv-07357 RS

**CASE MANAGEMENT CONFERENCE  
STATEMENT BY DEFENDANT ROB  
BONTA**

Date: November 14, 2024  
Time: 10:00 a.m.  
Judge: Hon. Richard G. Seeborg  
Courtroom: 3

28 <sup>1</sup> Defendant Rob Bonta, the current Attorney General of California, is automatically substituted for former Attorney General Xavier Becerra. Fed. R. Civ. P. 25(d).

1 In late August, the Ninth Circuit entered an order vacating the May 2, 2022 judgment in  
2 favor of Defendant Rob Bonta and remanding the case back to this Court. Dkt. No. 232. A  
3 mandate was issued under Rule 41(a) of the Federal Rules of Appellate Procedure on September  
4 19, 2024. Dkt. No. 234. A few days later, the Court set a Case Management Conference for  
5 November 14, 2024, and directed the parties to submit a joint case management statement. Dkt.  
6 No. 235. On November 8, 2024, Defendant filed a notice that Defendant's counsel had not been  
7 able to locate Plaintiff or Plaintiff's counsel. Dkt. No. 236. The Court then entered an order  
8 continuing the Case Management Conference to January 23, 2024, and directed the parties to  
9 submit a joint case management statement. Dkt. No. 237.

10 Despite diligent efforts, counsel for Defendant Rob Bonta has still been unable to contact  
11 current counsel for Plaintiff Michael Zeleny. Plaintiff's counsel of record in the Ninth Circuit  
12 matter, Alan Beck, has informed Defendant's counsel that he no longer represents Plaintiff. Mr.  
13 Beck directed Defendant's counsel to contact Damion Robinson, the attorney who previously  
14 represented Mr. Zeleny in the district court but filed a motion to withdraw as counsel in the Ninth  
15 Circuit. *See Zeleny v. Bonta*, 9th Cir. Case No. 22-15870, Dkt. No. 21. Mr. Beck also relayed  
16 Mr. Zeleny's contact information and consented to Defendant's counsel contacting Mr. Zeleny.  
17 On January 15, 2025, Mr. Zeleny wrote back to Defendant's counsel and stated that he believed  
18 Mr. Robinson was still his counsel for the purposes of this district court action. Mr. Zeleny also  
19 said he was dealing with the effects of the Palisades wildfire.

20 To date, Mr. Robinson has not responded to any inquiries from Defendant's counsel.  
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1 Dated: January 16, 2025

Respectfully submitted,

2 ROB BONTA  
3 Attorney General of California  
4 R. MATTHEW WISE  
5 Supervising Deputy Attorney General

6 /s/ S. Clinton Woods  
7 S. CLINTON WOODS  
8 Deputy Attorney General  
9 *Attorneys for Defendant Rob Bonta, in his*  
10 *official capacity as Attorney General of*  
11 *California*  
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## CERTIFICATE OF SERVICE

Case Name: **Zeleny, Michael v. Edmund G.  
Brown, et al.**

Case No. **3:17-cv-07357 RS (NC)**

I hereby certify that on January 16, 2025, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

- **CASE MANAGEMENT CONFERENCE STATEMENT BY DEFENDANT ROB BONTA**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on January 16, 2025, at San Francisco, California.

M. Mendiola  
Declarant

  
Signature